

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

TONY MENEFEE,)	
)	
Plaintiff,)	
)	
v.)	Case No. CV415-140
)	
JOSE MORALES, <i>Warden, Coastal</i>)	
<i>State Prison</i> , et al.,)	
)	
Defendants.)	

REPORT AND RECOMMENDATION

The Court granted inmate plaintiff Tony Menefee leave to proceed *in forma pauperis* (“IFP”) and directed him to file IFP paperwork under the Prison Litigation Reform Act, Pub. L. No. 104-134, 110 Stat. 1321, enacted on April 26, 1996. Doc. 4. That IFP order also granted “plaintiff an opportunity, at this time, to voluntarily dismiss the complaint pursuant to Fed. R. Civ. P. 41(a)(1). Such a voluntary dismissal will not require plaintiff to pay the filing fee or count as a dismissal which may later subject plaintiff to the three-dismissal rule under section 1915(g).” *Id.* at 4.

Menefee has accepted that invitation. Doc. 5. The Court therefore

advises that his Rule 41(a)(1) dismissal motion (doc. 5) be **GRANTED**, thus dismissing his case without prejudice.

SO REPORTED AND RECOMMENDED, this 24th day of June, 2015.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA